

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 94-038-C - ORDER NO. 94-370 *lc*
APRIL 22, 1994

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| IN RE: Petition of Ascom Communications, Inc. |) |
| & Peoples Telephone Company, Inc. for |) ORDER |
| Approval of Transfer of Assets from |) APPROVING |
| Ascom Communications, Inc. to Peoples |) TRANSFER OF |
| Telephone Company, Inc. |) ASSETS |

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Joint Petition filed on January 18, 1994, by Ascom Communications, Inc. (Ascom) and Peoples Telephone Company, Inc. (Peoples) (hereafter jointly referred to as Petitioners), for an Order approving the transfer of assets of Ascom from Ascom to Peoples. The assets to be transferred are utilized in the provision of COCOT services and in the resale of interexchange telecommunications services. The Petition was filed pursuant to S.C. Code Ann. §58-9-310 (Supp. 1993).

The matter was duly noticed to the public. A Petition to Intervene was filed on behalf of Southern Bell Telephone and Telegraph Company (Southern Bell). Southern Bell subsequently filed a Motion to Withdraw its Intervention which was granted by the Commission by Order No. 94-186, dated March 7, 1994. The Petitioners then filed an Amended Petition which modified the original Petition by deleting the provision requesting that Ascom's existing certificates of authority be canceled. Southern Bell was

provided a copy of the Amended Petition, and the Petitioners submitted proof to the Commission that Southern Bell agreed that Southern Bell's withdrawal would not be affected by the amendment. The Petitioners submitted verified testimony, and consequently, the Commission determined that it would consider the Amended Petition without a hearing.

FINDINGS OF FACT

1. According to the Amended Petition and the verified testimony of Steve Alexander, Director of Regulatory Affairs for Peoples Telephone Company, Inc., both Ascom and Peoples have been approved as COCOT providers by this Commission and both Ascom and Peoples hold certificates to operate as resellers of telecommunications services in South Carolina. Mr. Alexander explained that Peoples was granted authority to provide COCOT services in South Carolina in Docket No. 85-150-C, Order No. 88-71 dated January 13, 1988. Peoples was granted a certificate to operate as a reseller of telecommunications services in Docket No. 93-026-C, Order No. 92-430. Mr. Alexander also stated that Peoples was granted authority to provide inmate telephone services in Docket 93-416-C, Order No. 93-840 dated September 3, 1993, via a transfer of inmate telephone authority previously held by Silverado Communications Corporation. Mr. Alexander also testified that Peoples now provides pay telephone service through approximately 35,700 payphones located in 47 states and that Peoples is the largest independent pay telephone operator in the nation.

2. Mr. Alexander testified that Peoples maintains an experienced technical staff, that Peoples' key personnel possess a

broad spectrum of business and technical experience in various aspects of the telecommunications industry, that Peoples provides its services through state of the art equipment, and that Peoples possesses the financial stability necessary to provide COCOT and resold interexchange telecommunications services in South Carolina.

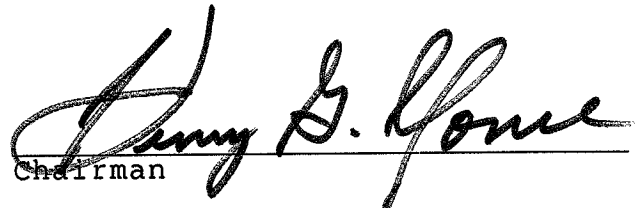
3. Mr. Alexander also testified that Peoples will fully comply with the rules and regulations of this Commission.

CONCLUSIONS OF LAW

1. The Commission concludes that the proposed asset transfer should be granted. Consequently, the Commission hereby approves the requested transfer in accordance with the terms of the Amended petition and the testimony of Mr. Alexander.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)